

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

GARY HUDSON,

Plaintiff,

v.

Civil Action No. 2:11-cv-00248

PINE RIDGE COAL COMPANY, LLC,

Defendant.

ORDER

Pending are plaintiff Gary Hudson's motion and renewed motion requesting the court to order the defendant to clarify its position on the applicability of the bankruptcy filing in this case, filed on August 8, 2012 and August 30, 2012, respectively.

On September 10, 2012, the defendant filed a response to Hudson's motions and, as requested, set forth its position regarding the applicability of the bankruptcy filing. The court, accordingly, ORDERS that the motions be, and they hereby are, denied as moot.

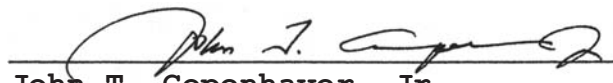
It is suggested by the court that the parties, either jointly or singly, seek clarification from the bankruptcy court where the bankruptcy case is now pending as to the extent the above-styled action may proceed to a conclusion, whether under the "Final Order" of the United States Bankruptcy Court of the

Southern District of New York entered August 2, 2012, or any other order of relief the bankruptcy court may see fit to enter.

Awaiting clarification from the bankruptcy court, it is ORDERED that this action be, and hereby is, stayed and retired to the inactive docket pending the further order of the court. The parties are directed, beginning July 1, 2013, to file quarterly status reports respecting the further proceedings in the bankruptcy court bearing on this matter.

The Clerk is directed to transmit copies of this written opinion and order to all counsel of record and any unrepresented parties.

ENTER: March 28, 2013



John T. Copenhaver, Jr.
United States District Judge